

**ENTERED**

May 04, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MICHAEL CARDORA ROBERSON,

Plaintiff,

v.

JAMES E. BLAKE, JR. *et al.*,

Defendants.

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CIVIL ACTION NO. H-20-1393

**MEMORANDUM AND ORDER**

Michael Cardora Roberson, an inmate incarcerated in the Texas Department of Criminal Justice, has filed a prisoner civil rights complaint. Roberson has not prepaid the filing fee. This action is dismissed under 28 U.S.C. § 1915(g).

Barring a show of imminent danger, under the Prison Litigation Reform Act of 1995, a prisoner may not file an action without prepaying the filing fee if he has, on three or more prior occasions, filed a prisoner action in federal district court or an appeal in a federal court of appeals that was dismissed as frivolous or malicious. 28 U.S.C. § 1915(g); *Adepegba v. Hammons*, 103 F.3d 383, 385 (5th Cir. 1996). Roberson has accumulated at least three such dismissals. He is no longer allowed to proceed without prepaying filing fees under section 1915(g). *See Roberson v. Hutchinson*, No. 4:20-cv-1406 (S.D. Tex. Apr. 28, 2020); *Roberson v. Morgan*, No. 4:20-cv-1325 (S.D. Tex. Apr. 16, 2020); *Roberson v. McCann*, No. 6:18-cv-465 (E.D. Tex. June 17, 2019). Roberson's complaint, (Docket Entry No. 1), alleges that he was the victim of excessive force by government employees in 2019. He does not claim to be in immediate danger that would warrant waiver of the fee requirement. *See Choyce v. Dominguez*, 160 F.3d 1068, 1071 (5th Cir. 1998); *Banos v. O'Guin*, 144 F.3d 883, 884 (5th Cir. 1998).

In light of the pleadings and his litigation history, Roberson has failed to show that he is eligible to proceed without prepaying fees. This action is dismissed under 28 U.S.C. § 1915(g).

SIGNED on May 4, 2020, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal  
Chief United States District Judge